

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

WILLIAM LAWSON, et al.,

Plaintiffs,

v.

BELLSOUTH TELECOMMUNICATIONS,
INC.,

Defendant.

CIVIL ACTION NO.

1:09-cv-3528-JEC

ORDER

This case is before the Court on the parties' Joint Motion to Extend Stay [122].

On April 5, 2012, the parties jointly requested a stay of proceedings to allow mediation [117]; the Court granted that request to stay [118]. On June 11, 2012, the parties jointly requested a continuation of the stay until August 10, 2012 [120]. They indicated that they had reached a settlement of the collective action before this Court, as well as a similar action in the Northern District of California. As the latter covered a great many claimants and as finalization of the settlement would be "an involved process," the parties requested that the action be further

stayed until August 10, 2012. The Court issued an Order approving this extended stay [121].

In the present motion [122], the parties have now asked that the stay be extended until October 12, 2012. They note that the settlement in this case is conditioned on a prior approval of the settlement in this California case: *Luque v. Pacific Bell Telephone Co.*, No. 3:09-cv-5885-CRB (N.D. Ca.). A preliminary approval hearing in the *Luque* case is not set until September 28, 2012.

The Court will **GRANT** the motion for an additional stay. However, as the Court has its own internal reporting requirements pursuant to the Civil Justice Reform Act, it cannot permit this case to remain open indefinitely while awaiting the conclusion of this other California case. Accordingly, as the Court can take no further action on this case pending events over which it has no control, the Court directs the Clerk to **administratively terminate** this action, with the right of either party to administratively reopen the action upon either the final approval of the settlement in the *Luque* case or the decision of the district court there not to approve the class settlement. Within **30 days** of the latter event, the parties should notify the Clerk who is directed to reopen the case upon that notification. In addition, should either party believe that the interest of justice calls for the reopening of this

matter in this Court, prior to action by the California court, it should so notify the Court.

The Court emphasizes that this case has not been dismissed; it is merely stayed. The administrative termination is only an internal administrative entry by this Court consistent with the entry of a stay order.

SO ORDERED, this 14th day of AUGUST, 2012.

/s/ Julie E. Carnes
JULIE E. CARNES
CHIEF UNITED STATES DISTRICT JUDGE